(41)

HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR

SINGLE BENCH : HON'BLE SHRI S.R. NAYAK, CJ.

WRIT PETITION NO.6553 OF 2005

PETITIONER Kumari Bhavana Mishra, Daughter of Shri T.C. Mishra, aged 21 years, resident of Quarter No. 6-A, Stree No. 46, Sector – X, Bhilai-Durg (C.G.)

Vs.

RESPONDENT Pandit Ravishankar Shukla University Raipur, (C.G) Through : Vice Chancellor.

Present : Mr. Brijesh Mishra, learned counsel for the petitioner.

ORAL ORDER

(Passed on 2nd January, 2006)

The petitioner is a student of Shri Shankaracharya College of Engineering & Technology, Bhilai, in the Computer Science Engineering. She appeared for B.E. 8th Semester (4th year) Computer Science Engineering Examination conducted by the respondent-Pt. Ravishankar Shukla University, Raipur in the month of June 2005. In the result of the said examination, she was shown as failed in the subject of "Artificial Intelligence & Expert System" in which she secured only 25 marks out of 100. As provided under the statute of the respondent-University, the petitioner applied for re-evaluation of her answer script in the subject of "Artificial Intelligence & Expert System". Even after re-evaluation, she was not declared passed in the said subject. That has led to the filing of the present writ petition seeking intervention of the Court.

(2) In para 4 of the writ petition it is stated thus:-

"The petitioner was a regular student of Shri Shankaracharya College of Engineering And Technology Bhilai, in the Computer Science Engineering and she has passed her 1st to VII Semester Examinations successfully with percentage of marks ranging from 69% to 76.9%. Her track record of academic acquisition has been quite superb. It is absolutely unthinkable and unbelievable that she would secure 25 marks out of 100 in the "Artificial Intelligence & Expert System" subject while in the other three subjects she has secured high marks. The petitioner, in order to complete her answers to the given questions, had taken 3-4 supplementary answer books besides the originally provided answer book. Her performance being upto the optimum level and very best her securing only 25 marks out of one hundred gives rise to a very grave doubt that her supplementary answer books have not been evaluated or in the course of handling the supplementary answer books hight have got detached from the original answer book and the same might not be intact with the Petitioner's original answer book, or even the revaluation might have not been done properly. However, the request of the petitioner to show her the answer books has been wrongfully declined and the attempt of the respondent is only to cover up the lapse committed by the University".

(3) The self-assessment made by the petitioner in para 4 has absolutely no bearing on the decision-making. There is absolutely nothing before the Court to doubt the integrity of the evaluation of the answer script. It is not even the case of the petitioner that the person who re-valued the answer script in the subject of 'Artificial Intelligence & Expert System' is biased or vindictive against the petitioner. Furthermore, it needs to be noticed that the ground set out in para 4 of the writ petition is rooted in imagination and doubt of the petitioner. The petitioner has not

disclosed any circumstances on the basis of which the Court could possibly, as a rational agent, could come to a conclusion that the person who revalued the answer script has not revalued the answers written in the 3-4 supplementary answer scripts appended to the main answer script. The Court could not be a doubting monger. Therefore, the directions sought by the petitioner cannot be granted in terms of law. The writ petition is, therefore, dismissed. There shall be no order as to costs.

Sd/-
Chief Justice
Judge